

**STARR COUNTY
SHERIFF'S OFFICE**

**INVESTIGATIVE
REPORT**

By: Investigator Rafael Aguirre #205 Starr County Sheriff's Office	Date of Occurrence: 01/08/2022
Offense 1: Murder Offense 2:	Location of Occurrence: Starr County Memorial Hospital
Case Number: 2022-00085	

Victim: Jasiel Alessandro Herrera

Date of Birth: 01/08/2022

Address:

Telephone Number:

Defendant: Lizelle Herrera

Date of Birth: 12/07/1995

Address: 30 Robin Lane, Falcon Heights 78545

Telephone Number: 956-437-0905

Investigative Report

Investigative Report

Case#2022-00085

Interview of Paula Arrambide

01/20/2022

Starr County Sheriff's Office

Investigators Esmeralda Muniz and Rafael Aguirre

On Thursday January 27th, 2022, Paula Arrambide was interviewed at the Starr County Sheriff's Office in reference to case #2022-00085. Mrs. Arrambide is employed by the Starr County Memorial Hospital as a Registered Nurse for the Emergency Department and Labor and Delivery. She provided the following statement:

Mrs. Arrambide stated Lizelle Herrera came in Friday from ER as an outpatient with contractions and was placed in Room #204. Dr Lozano and her attended to another delivery. After that they went to check on Mrs. Herrera. During the vaginal exam of Mrs. Herrera, Dr. Lozano asked her what is this and as he withdrew his hand he had two pills in his hand. He told her that this is to have an abortion and she breaks down and starts crying. Mrs. Arrambide stated the pills were not intact, dissolved a little bit but you could see its form. The pills were partially dissolved. She stated it was the Dr. doing the exam and he retrieved the pills. The Dr was asking her what she was trying to do.

The Doctor then ordered Mrs. Arrambide to irrigate the vaginal canal area. She assisted Dr in conducting the irrigation. Dr Lozano asked Mrs. Herrera if she had taken the pills rectally and she stated no. The Dr did a rectal exam and did not find anything. He asked her if she had ingested by mouth and she said no. She claimed that it was just those two pills she had put into her vaginal area. Mrs. Arrambide stated once she was treated to stop the abortion, she told her she needed to know everything. Mrs. Herrera told her that one of her friends had gotten her the pills from Miguel Aleman. She told her she did not want to disclose the name. Dr Lozano also questioned her and asked her who got her the pills. Mrs. Arrambide told the Dr she had already asked Mrs. Herrera but she did not want to disclose the name. The Dr then told Mrs. Herrera she had to tell them because it was illegal in Texas to have an abortion. Mrs. Herrera then told him the name and he wrote it

down on his notes. That her friend had gotten them for her from Miguel Aleman. Mrs. Arrambide said she didn't recall her ever saying if she put them or her friend put them. Mrs. Arrambide asked Mrs. Herrera why she did what she did. Mrs. Herrera told her she was in an argument with the baby's dad and that was her solution. Mrs. Arrambide said she might have that on her notes quote on quote that that was her solution.

Mrs. Arrambide stated she started her shift about half an hour before Mrs. Herrera got there. She stated she had her all that night. She was seen and Dr Lozano admitted her. She explained Mrs. Herrera had first gone in as an outpatient basis. She was admitted and given magnesium and medication named Indocin to try to stop the contractions and to try to stop the abortion. During her shift and later on during the night, Mrs. Herrera complained about cramping. Dr Lozano told Mrs. Herrera it was unknown how much of the medication she had taken was absorbed by her body. The said medication was to induce contractions so she could dilate and the baby could come out. So cramping is a side effect of that medication. She was told that everything possible was being done to try to stop the abortion. Mrs. Arrambide stated there was no vaginal bleeding while in her care and no discharge. She stated she finished her shift and gave report to Norma and Mrs. Herrera was stable. Mrs. Arrambide stated Mrs. Herrera still had the magnesium running and she was to be discharged later that day to be seen by Dr Ramirez. Mrs. Herrera was to be discharged later that day. Mrs. Arrambide identified the other nurse as Norma Aguirre. Mrs. Arrambide stated Mrs. Herrera was stable and did not have any more cramping. She stated that Mrs. Herrera's blood pressure was slightly low but Mrs. Herrera disclosed that her blood pressure was normally low. Mrs. Arrambide stated the magnesium would cause the pressure to go up. Mrs. Arrambide said Mrs. Herrera was to be evaluated by Dr Ramirez and he would give the order for Mrs. Herrera to be discharged.

Mrs. Arrambide stated she was working the second time that Mrs. Herrera came in to the hospital. She said Mrs. Herrera was in the recovery room when she began her shift Saturday night at 7pm. An Alejandra called her from the recovery room and told her that the patient (Mrs. Herrera) was done with her recovery time and she was going to bring the patient. The patient had a section that day on Saturday. She explained that after a C-section, patients go into recovery room for about an hour then get transferred to a post-partum room. Mrs. Arrambide stated she was not involved with Mrs. Herrera's surgery and only provided post-surgery/post-partum care. She stated she was not involved with the fetus. Mrs. Herrera was brought into post-partum care sometime after 7pm. Mrs.

Arrambide did not notice any acute distress. After a couple hours Mrs. Herrera began requesting pain medication. Mrs. Arrambide found this odd because her full term patients won't ask for pain medication before it's due. She explained that during the C-section surgery, the anesthesiologist administers enough medication to last approximately 8 hours. She found it odd that she was asking for medication being that she was only at 20 weeks and the C-section had been done not that long ago and it still had not been those 8 hours for the first re dose to be given. She told Mrs. Herrera there was nothing she could give her at that time and she shouldn't be in any pain. Mrs. Herrera stated she was not in any pain and was asking when she would get the pain medication.

According to Mrs. Arrambide, Mrs. Herrera did not seem distraught. She asked her what happened because she had already been discharged during the day. When she last saw her she was okay that morning. Upon Mrs. Arrambide's return to work, her first encounter with Mrs. Herrera is after she had a C-section. She asked her what happened. She told her after she was discharged, she wasn't even an hour at home when she went to the restroom and felt like something was coming out. Mrs. Herrera said she used her hand to try to hold it. She then called the ambulance to pick her up. Mrs. Arrambide stated she did not ask her any questions or if she took more medication at home. She stated Mrs. Herrera stayed for two nights. According to Mrs. Arrambide, Mrs. Herrera never cried or asked Mrs. Arrambide about the process with the fetus or the baby. Mrs. Herrera did talk to someone on the phone about funeral services. She was in bed all night Saturday. She was doing fine very composed not withdrawn like nothing ever happened.

Interview was concluded.

Investigative Report

Case#2022-00085

Interview of Norma Aguirre

01/20/2022

Starr County Sheriff's Office

Investigators Esmeralda Muniz and Rafael Aguirre

On Thursday January 20th, 2022, Norma Aguirre was interviewed at the Starr County Sheriff's Office in reference to case #2022-00085. Mrs. Aguirre is employed by the Starr County Memorial Hospital as a Registered Nurse. She provided the following statement:

Her first contact with Lizelle Herrera was on Saturday 01/08/2022 at 08:30am at the hospital. She stated she saw her after she was treated the day before when she came in to the emergency room. She provided after treatment care by connecting monitoring devices and checking on the baby. She stated the baby was fine and Mrs. Herrera did not have any contractions at the time. She asked her if she was okay and she said she was fine except for a slight headache. Mrs. Aguirre was asked if she was part of the crew that treated Mrs. Herrera when she arrived on the 7th and she stated she was not. She did know the reason why she was there because it was part of the turnover from the previous crew and it was on her medical chart. She stated Mrs. Herrera did not tell her anything about her motive or why she had done it.

Dr Ramirez saw her and checked her and decided to send her home. Everything was checked and was fine. Everything was okay and she was discharged after lunch. Mrs. Aguirre was given instructions of when to feed her so she could be discharged. She stated Mrs. Herrera was fine and all she wanted to do was sleep.

She was discharged at around 12:00 pm because she was insisting on going home. She kept calling for her to be released. She was fed and medication was discontinued. Mrs. Aguirre said she was busy with other patients and Mrs. Herrera kept calling to be released and was even walking the halls. She was then discharged.

Mrs. Aguirre stated she was part of the crew that tended to Mrs. Herrera the second time she came in. She stated she came in via ambulance and already had an IV started. She saw that her membranes were out. She came in at around 12:50/12:55pm. She left and came back right away. When they were transferring her from the stretcher to the ER bed they saw that her membranes were out of her vaginal area. She explained that they were waiting for her because they were already advised. Her and Dr Ramirez. Mrs. Herrera was complaining about pain. Mrs. Aguirre told her she did not have any pain before she left and she responded I know but the pain started when she wanted to go to the restroom. She said "I was going to go to the restroom to pee and she felt everything came out". She then called her grandma to call the ambulance and that's how she came into the hospital. She was put on the bed and they tried to find anything on the monitors. Mrs. Aguirre could not find any contractions. Dr Ramirez then ordered the ultrasound machine. No fetal heart tones were found by Dr Ramirez. The baby was still there but they advised they would wait to see if the baby would come out on its own. Mrs. Aguirre stated again that the it was just the membranes with the water that was outside. She said they needed an official report so ultrasound department was requested. Ultra sound tech Marcus came

and did the procedure and found nothing. Two ultrasounds were performed and no heartbeat detected from fetus. She was in a lot of pain and an epidural was attempted. But due to the membranes being out, they had a hard time administering it because it requires the patient to be sitting down. While being treated, the membrane ruptured and she was finally able to go on with the epidural. Dr Ramirez said that Mrs. Herrera was a prior c-section, two of them, and decided to do a c-section at the time because the baby was transverse. The baby at that point was not alive and Mrs. Aguirre stated that the baby was not alive since Mrs. Herrera arrived with the ambulance the second time. She stated that before Mrs. Herrera was discharged, there were fetal heart tones. She also stated that Dr Ramirez did a vaginal exam and Mrs. Herrera's cervix was closed before discharge. No bleeding was observed and no contractions present either. She did not have any pain and she ate before being discharged.

After surgery, the baby boy was taken to the nursery. Mrs. Herrera was asked what she wanted to do. When she arrived, Mrs. Herrera did not want information given to her family. Hospital staff did not provide info. Mrs. Herrera had her cell phone and kept talking to her mother. She was asked again what she wanted to do with baby and she opted for funeral services. Mrs. Aguirre did not know which funeral home.

Mrs. Aguirre stated she did not observe anything abnormal on Mrs. Herrera's vaginal area when she was being treated the second time. She did not observe any bleeding just the membranes. Mrs. Herrera insisted everything came out when she went to the bathroom.

During her care of Mrs. Herrera, she was asked about her demeanor. She stated she was not crying. She stated she would cry whenever she had visitors. When she was told that the baby did not have a heartbeat she did not cry and kept insisting she was in a lot of pain and wanted something for the pain.

After the surgery Mrs. Herrera just slept a lot. She was monitored until the following morning. She received a blood transfusion. She was fine and walking around. Mrs. Aguirre stated she did tell Mrs. Herrera that this might be reported and told her that her baby had fetal heart tones before she was discharged and when she came back she did not have anything. Mrs. Aguirre stated she just said okay but did not say anything else. Mrs. Herrera repeated the same thing that she went to the restroom and everything came out. Mrs. Aguirre stated Mrs. Herrera was released on Monday and she had already finished her shift by then.

Mrs. Aguirre was asked about her care of Mrs. Herrera and she stated it was on the morning of the 8th when she started her shift. She stated the Dr did his rounds and he examined Mrs. Herrera. Everything was fine at that point before Mrs. Herrera was released. No pain, no bleeding, not dilated, no contractions. Baby heartbeat present. Mrs. Aguirre was asked how long is the average pregnancy and she stated about 30 weeks. Mrs. Herrera was already at 19-20 weeks or halfway through her pregnancy. Mrs. Aguirre stated the baby was well formed and complete. It was a full baby. She was asked if the baby had any tearing on its skin and she said she did see the baby but did not see anything. She said the surgeon or the surgery nurse would be the staff who would have seen the baby. She said the surgeon is conducting the surgery and the nurse takes care of the baby. Mrs. Aguirre stated Lonni Zunga was the surgery nurse and Xenia Garcia was the nursery nurse.

Interview was ended.

Investigative Report

Case#2022-00085

Interview of Martha Torres

01/11/2022

Starr County Memorial Hospital

Investigator Rafael Aguirre

On Tuesday January 11th, 2022, Martha Torres was interviewed at the Starr County Memorial Hospital in reference to case #2022-00085. Mrs. Torres is employed by the Starr County Memorial Hospital as a Director of Nurses. She provided the following statement:

Mrs. Torres stated Mrs. Lizelle Herrera came in to the Emergency Room on Friday night. Her chief complaint was abdominal pain. Mrs. Torres sated she was a patient of Dr. Lozano and he checked her since he was on duty. During the exam of Mrs. Herrera, the Doctor found residue of some type of drug in her vaginal area. It was determined to be drugs from Mexico and she admitted to the Doctor that she wanted to terminate baby because of marital problems. Mrs. Torres stated Mrs. Herrera was at 20 weeks of her pregnancy.

Mrs. Torres stated Mrs. Herrera came in at around 7:00pm. She was treated and discharged at around 12:00pm of the next day. She stated Mrs. Herrera was okay when

she was discharged. She was not dilated and her cervix was closed. About an hour later, Mrs. Herrera called an ambulance and she was brought in with a partially born baby. Mrs. Torres stated the fetus was removed from Mrs. Herrera via C-section.

I asked Mrs. Torres about the drugs or residue found on Mrs. Herrera. She stated it was a birth inducing drug. It can be taken orally, rectally, or vaginally. It is a labor inducing drug. She stated Mrs. Herrera called 911 and an ambulance responded.

Mrs. Torres stated she talked to Mrs. Herrera and she told her she got home to her grandparent's house after being discharged. She felt the urge to pee and went to the restroom. Mrs. Herrera told her the baby then came out.

Mrs. Torres stated the doctor that saw Mrs. Herrera when she came in the first time was Dr Lozano. She stated Dr Lozano was Mrs. Herrera's doctor for her pregnancy and since he was on duty that day, he provided care. Dr Ramirez was the ER doctor the second time Mrs. Herrera was brought in via ambulance. Dr Ramirez performed the C-Section on Mrs. Herrera. She also stated the fetus was a male 20 weeks old. Mrs. Herrera requested Rodriguez Funeral Home for services.

Mrs. Torres stated medical records for Mrs. Herrera were available and could be subpoenaed from records department.

Interview was concluded.

Starr County Sheriff Investigator: Esmeralda Muniz #208
